

REMARKS

Claims 1-14, 16 and 17 are pending in the present application.

As noted above, the Group I invention including claims 1-14 has been elected for further prosecution on the merits. This restriction requirement is traversed for the following reasons.

In the Office Action dated January 14, 2002, all of claims 1-14, 16 and 17 were examined on the merits. That is, claims 16 and 17 of the currently non-elected Group II invention were examined on the merits. As noted in Manual of Patent Examining Procedures section 803, there must be a serious burden on the Examiner if restriction is to be required.

Applicants respectfully submit that the Examiner has failed to establish on the record that there would be a serious burden to examine all of claims 1-14, 16 and 17 together. Particularly, since claims 16 and 17 of the Group II invention have already been examined on the merits, there clearly can not now be a serious burden to necessitate restriction.

Applicants therefore respectfully submit that the current restriction requirement is improper, because the Examiner has failed to establish serious burden necessary for restriction. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the Restriction Requirement, and to examine all of claims 1-14, 16 and 17 on the merits in the present application.

If this Restriction Requirement is to be maintained, the Examiner is respectfully requested to establish on the record how examination of all of claims

1-14, 16 and 17 in the present application would be a serious burden, particularly since these claims have already been examined on the merits.

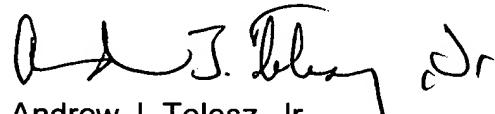
Favorable consideration and early allowance of the present application are earnestly solicited.

In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact Andrew J. Telesz, Jr. (Reg. No. 33,581) at (703) 715-0870 in the Washington, D.C. area, to discuss these matters.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-0238 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

VOLENTINE FRANCOS, P.L.L.C.



Andrew J. Telesz, Jr.
Registration No. 33,581

AJT:cej

VOLENTINE FRANCOS, P.L.L.C.
12200 Sunrise Valley Drive, Suite 150
Reston, Virginia 20191
Telephone No.: (703) 715-0870
Facsimile No.: (703) 715-0877